



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/745,543	12/23/2000	Dann E. Kroeger	ATUBP008	2123

7590 07/01/2004

Hovey, Williams, Timmons &
Collins
2405 Grand Blvd., Suite 400
Kansas City, MI 64108

EXAMINER

COLON, CATHERINE M

ART UNIT	PAPER NUMBER
----------	--------------

3623

DATE MAILED: 07/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/745,543

Applicant(s)

KROEGER, DANN E.

Examiner

C. Michelle Colon

Art Unit

3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. The following is a Non-Final Office Action in response to the communication received on December 23, 2000. Claims 1-20 are now pending in this application.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Nummelin et al. (U.S. 6,308,164).

As per claims 1, 8 and 15, Nummelin et al. discloses a method, computer program product and system for providing a pro-active manager, comprising the steps of:

(a) monitoring a status of a plurality of tasks (col. 5, lines 28-51; col. 5, line 65- col. 6, line 17; col. 6, lines 37-49; Figure 2; A project management system is disclosed, where the status of project tasks is monitored and maintained in a database.);

(b) identifying information associated with the completion of each of the tasks based on the status thereof (col. 5, lines 28-51; col. 6, lines 37-49; The project management system maintains various information associated with the completion of

tasks such as resources assigned to the tasks, task duration and sequence of tasks.);
and

(c) sending a request for the information utilizing a network (col. 6, lines 50-67;
col. 7, lines 24-56; The system discloses sending and receiving of task status
information through the network via email.).

As per claims 2, 9 and 16, Nummelin et al. discloses the method, computer
program product and system as recited in claims 1, 8 and 15, wherein steps (a) - (b) are
executed on a periodic basis (col. 5, lines 52-64; The system discloses that the remote
workstations, which receive and send task status information, can be connected to the
network periodically, thus monitoring task status periodically.).

As per claims 3, 10 and 17, Nummelin et al. discloses the method, computer
program product and system as recited in claims 1, 8 and 15, wherein each task has an
identifier associated therewith, and the request is sent to at least one user based on the
identifier (col. 6, lines 37-63; col. 7, lines 24-67; The system creates identifiers for each
project and their related tasks. Each task is also assigned a resource, or a user
responsible for completing the task.).

As per claims 4, 11 and 18, Nummelin et al. discloses the method, computer
program product and system as recited in claims 1, 8 and 15, wherein each type of
information has an identifier associated therewith, and the request is sent to a particular
user based on the identifier (col. 6, lines 37-63; col. 7, lines 24-67; The system creates
identifiers for each project and their related tasks. Each task is also assigned a
resource, or a user responsible for completing the task.).

As per claims 5, 12 and 19, Nummelin et al. discloses the method, computer program product and system as recited in claims 1, 8 and 15, wherein the request includes an electronic mail message (col. 6, lines 37-67; col. 7, lines 24-56; The system uses email messages to transfer task status and other related information throughout the network.).

As per claims 6, 13 and 20, Nummelin et al. discloses the method, computer program product and system as recited in claims 1, 8 and 15, wherein the information is selected from the group consisting of site pictures, a task completion percentage, manpower reports, and field directive reports (col. 3, line 58-col. 4, line 20; col. 5, lines 28-42; col. 8, lines 25-28; The project management system conducts analysis and reporting based on the task status and other related information maintained in the database.).

As per claims 7 and 14, Nummelin et al. discloses the method and computer program product as recited in claims 1 and 8, wherein the information is required for the completion of each of the tasks (col. 7, line 46-col. 8, line 3; col. 8, lines 10-67; col. 11, lines 4-16; The project management system can require certain fields related to the tasks and conduct validation on those fields before allowing the information to be stored in the database.).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Hughes et al. (U.S. 5,893,074) discusses a network based task management system;
- Olapurath et al. (U.S. 6,678,714) discusses a computer-implemented task management system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to C. Michelle Colon whose telephone number is 703-605-4251. The examiner can normally be reached Monday – Friday from 8:30am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz, can be reached at 703-305-9643.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington D.C. 20231

or faxed to:

Art Unit: 3623


703-872-9306 [Official Communications; including After Final
communications labeled "Box AF"]

703-746-7202 [For status inquiries, draft communication, labeled
"Proposed" or "Draft"]

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal
Drive, Arlington, VA 7th floor receptionist.


cmc

June 21, 2004


TARIQ R. HAFIZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3623